

# Abuse is wrong in any language

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La violence est inacceptable peu importe la langue

ਪਰਵਾਰਿਕ ਬਦਸਲੂਕੀ ਕਿਸੇ ਵੀ ਬੋਲੀ ਵਿੱਚ ਅਪ੍ਰਵਾਣ ਹੈ

Hành hạ là trái phép trong bất kỳ ngôn ngữ nào.

الظلم ممقوت في جميع اللغات

Zlostavljanje je zločin—na svim jezicima!

虐待是有悖文明的惡行。

El abuso es condenable en cualquier idioma

اذیت و بدرفتاری به هیچ زبانی قابل توجیه نیست.

Xadgudubku af kasta waa qalad

In tutte le lingue, la violenza è inaccettabile.

Η ΚΑΚΟΜΕΤΑΧΕΙΡΙΣΗ ΕΙΝΑΙ ΑΔΙΚΗ ΣΕ  
ΟΠΟΙΑΔΗΠΟΤΕ ΓΛΩΣΣΑ

O ABUSO É MAU EM QUALQUER LÍNGUA

Okrutne traktowanie innych brzmi wstrętnie  
w każdym języku.





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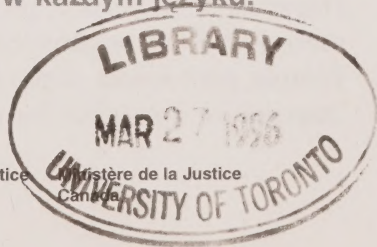
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Canada



Department of Justice  
Canada



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## About this booklet

This booklet is for immigrant women who are suffering from abuse in a relationship or in a family. If you know someone who is abused, give her this booklet. Ask her if she wants help. She may need your support. Tell her she is not alone.

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As an immigrant woman you may feel alone. You may have trouble talking with people. If you are being abused, you may be afraid for yourself or your children.

You may need to know more about Canadian law, your rights, and the kind of help you can get if you are being abused.

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## What is abuse?

You have been abused when another person hurts you or treats you badly.

The abuse can be physical, sexual, emotional, psychological or financial. You may experience more than one type of abuse.

Usually the abuser is a husband, ex-husband, boyfriend, or ex-boyfriend. Sometimes a member of your family or your husband's family is the abuser. The abuser could be a woman, but is usually a man.

### **In an emergency**

**Call the police or call a friend if you can.**

**Run outside — if you think you will be safer there and other people can see you.**

**Scream — let the neighbours hear so that they will call the police.**

## **These are some examples of physical abuse:**

- hitting
- pinching
- slapping
- pushing
- punching
- kicking
- burning
- shooting
- stabbing or cutting

**These are crimes in Canada.**

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## **Sexual abuse is**

- sexual touching or sexual activity when you do not consent to it

**This is a crime in Canada.**

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## **These are some examples of emotional or psychological abuse:**

- making threats to harm you, someone you know or your pets
- breaking your things
- stalking you (criminal harassment\*)

**These are crimes in Canada.**

\*The words that are underlined are explained on pages 14 and 15.



## **These are some examples of financial abuse:**

- taking your pay cheque
- withholding money from you so that you have no food or cannot get necessary medical treatment

## **These are crimes in Canada.**

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## **Other forms of abuse are not crimes, but they are still abuse. Some examples are:**

- humiliating you
- insulting you
- ignoring you
- screaming at you
- calling you names
- telling what you can do, where you can go, who your friends can be
- refusing to let you have any money

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## **Help is available**

There are people who can help you.

Call a multicultural association or a group that serves immigrants. Find out what help they can offer. Ask them where else you should call for help.

The police will protect you and your children.

Also, you may be able to get

- advice and counselling
- a safe place to stay
- financial help
- legal help, which may be free of charge
- help to leave – you can go to court to ask for custody of your children, financial support, or a divorce
- a peace bond from a criminal court
- an order from a civil or family court.

You can also get help if you decide to stay.

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## Where can you get more information?

- women's shelter
- police
- Crown attorney's office
- hospital
- multicultural association
- women's centre
- YWCA
- telephone crisis line
- public legal education and information association
- lawyer referral service
- legal aid office
- English as a second language teacher
- doctor or public health nurse
- social worker

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## You are not alone

Abuse happens in all kinds of families. It happens to Canadian citizens and to immigrants. It happens to women who have no children, to those who are rich, poor, professionals, full-time mothers, young, and old. It happens to women of all backgrounds, religions, races, cultures and ethnic origins. Abuse can happen at any stage of a relationship.

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## It is not your fault

Talking about abuse can be difficult. Many women feel ashamed or are afraid their family and friends will not believe them. But, remember — **nothing you do gives anyone the right to abuse you.** There is no excuse for abuse. It is not your fault.

Many women have found that there is a cycle of abuse. The tension builds for a while until the abuser acts violently. After the “explosion” or violence, there is a period of calm or quiet. The abuser may say he is sorry and promise it will not happen again. However, in time the tension may build and the abuser may become violent again. The cycle of abuse continues.





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## **Your children need protection**

Boys who see abuse in their families are more likely to abuse their wives or partners when they grow up. Girls are more likely to accept abuse as a fact of life when they grow up and have relationships. Children who grow up watching adults act violently may think that violence at home is normal.

If the abuser is also abusing your children, you should get help for them. Child abuse is against the law. You can go to a child welfare or family services agency for advice, help or counselling.

Children should be protected from abuse.

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## **Is it better to stay or to leave?**

You should think first about your safety and the safety of your children. You may fear that your family and friends will not support you if you leave. This may happen. But even if it does, it may be better for you and your children than continuing to suffer the abuse.

You may choose to leave for a short time. Or you may decide to leave permanently but still not end your marriage or relationship. Ask yourself:

- How dangerous is it to stay?
- Is there a gun in the house?
- Has the abuser ever used a weapon, like a knife or stick, to hurt you?
- Does the abuser take drugs or drink too much?

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## What if you decide to stay?

You might decide it is better for you to stay.

If you are injured, get medical treatment. You do not have to tell anyone who caused the injuries. But it is better for your treatment if you tell your doctor exactly what happened.

Keeping notes or a diary about your injuries and the times you are abused may help if you decide to leave later. It is a good idea to have a plan ready in case you need to leave quickly.

The first few pages of the telephone book may list the numbers for the police and other emergency services. It is a good idea to learn the police emergency number in case you need their help.

Gather information, such as addresses and telephone numbers of people who can help you. If you can, save some money.

Try to do things that make you feel better. You may be able to get counselling or learn new job skills. Look for friends and family members who will help you.

If the abuser wants to change the way he acts, he can get counselling. With long-term help, some men have learned to stop being abusers. But it is very difficult for violent men to change. The abuse usually gets worse over time.

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## What about custody of your children?

If you leave an abusive situation, you can still apply for custody of your children.

If you think your children will be safer, take them with you when you leave. Apply to the court immediately for a custody order. A lawyer can help you. Your lawyer can also help you ask the court to order your children's father to pay financial support for you and your children. The court will base its decision on what is best for the children.

If you get custody of the children, their father will likely be able to visit them. You might want to arrange for someone else to be there when the father picks up and returns the children. If you are worried about your children's safety, your lawyer can ask the court to order that someone supervise the visits.

Tell your lawyer if you think your children's father will try to take them out of the country. If you ask, the court may order that the children's passports be kept by the court.

If your children are Canadian citizens, call the Passport Office at 1-800-567-6868 or ☎ (613) 994-3560. Ask them to put the children's names on a list so you can be called if the children's father tries to get a passport for them. If your children have another nationality, contact that embassy or consulate to ask them to refuse passports for your children.

If you have a custody order, it is a good idea to keep a copy with you, in case there is a problem. You can also give a copy to your children's school.



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## **If you leave an abusive situation, will they deport you?**

If you are a Canadian citizen or permanent resident you cannot be deported for leaving an abusive situation. (A permanent resident is sometimes called a landed immigrant.)

If you do not know if you are a Canadian citizen, call your local citizenship office. Look in the blue pages of the telephone book under "Citizenship and Immigration."

If you have been found to be a refugee, you can apply on your own to be a permanent resident. Being married or separated has no effect on your status.

If you are a dependent of a refugee and he is in the process of applying for permanent residence for both of you, he can cancel your application. In this case, you can apply to be a refugee yourself. Or you can apply to be a permanent resident on compassionate and humanitarian grounds. You would need to show why you should stay in Canada. You should get legal advice. Call your local Canada Immigration Centre to get more information. Look in the blue pages of the telephone book under "Citizenship and Immigration."

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## **If your sponsorship breaks down, will you be deported?**

As a sponsored immigrant, you would not be deported solely because your sponsorship has broken down.

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# What kind of help is there?

## The police

You can call the police if the abuser assaults you or says he will. The police will come. Many police officers are trained to deal with abuse in families and relationships. They can take you to a hospital if you need treatment. They can help you leave safely.

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## Women's shelter

You can go to a shelter if there is one in your area. This is a safe place where you and your children can stay for a few weeks. Depending on your finances, you may be asked to pay for part of your stay.

Staff and volunteers at the shelter will give you support and information. They will be able to help you get legal advice, financial help and a new place to live, if this is what you want. They also have food, clothing, diapers and toys, in case you do not have time to pack.

Shelters are run by community groups. Their telephone numbers are listed in the telephone book. They may be listed in the first few pages of the book with other emergency numbers. They will not tell the abuser where you are. You can also call a shelter for advice. You do not even have to tell them your name.

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## Financial assistance

If you do not have a job, you may need welfare or financial assistance. If you are a permanent resident or a citizen, you are eligible to apply. Other people can apply too. It depends on where you live.

Provinces and territories have different rules about financial assistance. Call a provincial or territorial government office for advice. If you are a sponsored immigrant your first source of funding is your sponsor, but because of your situation you may be able to get financial assistance from the government. Generally, sponsored immigrants may apply for financial assistance.

When you go to court to apply for custody or to get a divorce, you can ask the court to order your children's father to pay financial support for you and the children.

# What happens if... ?

## **What happens if you report the abuser?**

If the police have reason to believe you have been assaulted, the abuser may be charged. You will have to tell the police about the abuse. The police may also arrest the abuser, if they think there are grounds to do so.

If the abuser is arrested, he might stay in jail only a few hours until he appears in court at the bail hearing. After that, the abuser may be allowed to leave, unless the court decides there is good reason to keep him in jail.

If you are afraid for your safety, tell the police before the abuser is let go. The court may set conditions for his release. For example, the court may order that the abuser cannot call or see you. If the abuser does not obey the conditions, the police can arrest him again.

If you are afraid he will hurt you when he is released, you may want to find a safe place to stay, like a women's shelter.

## **What happens if the police charge the abuser?**

If the abuser pleads guilty to assaulting you or your children, the court will sentence him. The sentence may be a fine, probation, time in jail, or a combination of these things. The abuser may have to get counselling as part of probation. Jail sentences are rare, especially if this is his first time in court. If you are afraid, tell the Crown attorney. If he gets probation, it is possible for the court to set conditions on his release.

If the abuser says he is not guilty, you will have to be a witness at his trial. It may be several months before the trial starts. If the court finds the abuser guilty, he will be sentenced. You can ask the Crown attorney if there are victim services in your province or territory to help you and to explain the court process.

## **Will they deport the abuser?**

If the abuser is a citizen he cannot be deported. If the abuser is a refugee or a permanent resident, he could be deported if a court convicts him of assault or another criminal offence. The deportation process could take a long time.



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## **Abuse is more than beatings**

- ☐ Does the abuser often find fault with you or tell you you are worthless?  
.....
- ☐ Does the abuser refuse to let you have friends?  
.....
- ☐ Does the abuser keep you from seeing your family?  
.....
- ☐ Does the abuser stop you from leaving the house?  
.....
- ☐ Does the abuser make you feel afraid by what he says?  
.....

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## **If you are abused**

- ☐ You are not alone  
.....
- ☐ It is not your fault  
.....
- ☐ There is help  
.....
- ☐ Protect yourself and your children  
.....

## Things to take with you if you leave

In an emergency, leave as quickly as possible. Do not stop to collect the things on this list. Just go. But if you have time, try to take as many of these things as you can.

- ☐ important documents such as birth certificates, passports, citizenship papers, immigration papers, child custody papers, court orders such as a peace bond, health cards, social insurance card, his social insurance number
- ☐ money, credit cards
- ☐ cheque book, bank book, savings bonds
- ☐ personal telephone and address book
- ☐ medicine
- ☐ house keys
- ☐ driver's licence and car keys
- ☐ children's favourite toys
- ☐ clothing for a few days
- ☐ valuable jewellery

If you are thinking about leaving you might want to collect some of these things and put them in a safe place, in case you decide to leave quickly.

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## Words used in this booklet

### **assault**

An assault happens when someone uses force or the threat of force on someone else without that person's consent.

### **bail hearing**

This is a court proceeding that happens after a person has been arrested and charged. The court decides if the person should be released with conditions, such as being told he cannot contact you, or held in jail until the charges are dealt with by the court.

### **criminal harassment**

If he is repeatedly following you or communicating with you, or watching you or behaving in a threatening manner towards you or your children, he is committing an offence called criminal harassment. This is sometimes called stalking.

### **Crown attorney**

This is the lawyer who represents the government. The Crown attorney presents the case to the court when a crime has been committed.

### **custody**

If you have custody of your children, you are legally responsible for making the major decisions about your children's upbringing and schooling. When you have custody, your children usually live with you, but will likely visit their father.



**legal help**

Legal help is available from a lawyer or a legal aid office. Legal help may be free of charge. Contact a lawyer referral service, a legal aid office, or a public legal education and information association to find out where you can get legal help and if you can get help free of charge.

**order from a civil or family court**

If you are afraid for your safety, and you do not want to call the police for help, you may be able to get an order from a civil or family court stating that the abuser must stay away from you. You should get legal help to find out about types of civil or family court orders in your province or territory.

**peace bond**

If you are afraid for your safety, you may be able to get a peace bond. This is a criminal court order with conditions. For example, the abuser may be told he is not allowed to see you, write to you, or telephone you. If he does not follow the order, the police may arrest him. If you want to know more about a peace bond you can ask a lawyer.

**probation**

This is a criminal court order that can be part of a sentence for an offender. A person on probation will have conditions set on release, such as going to counselling.

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## For more information call:

### Alberta

Alberta Council of  
Women's Shelters  
(403) 456-7000

Legal Resource Centre  
(403) 492-5732

The Legal Aid Society  
of Alberta  
(403) 297-2260 (Calgary)  
(403) 427-7575  
(Edmonton)

Public Legal Education  
Network of Alberta  
(403) 492-5732

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### British Columbia

B.C./Yukon Society of  
Transition Houses  
(604) 669-6943

Legal Services Society  
of B.C.  
(604) 660-4600

Law Courts Education  
Society of British Columbia  
(604) 660-9870

The People's Law School  
(604) 688-2565

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### Manitoba

Community Legal  
Education Association  
(Manitoba)  
(204) 943-2382

Manitoba Association of  
Women's Shelters Inc.  
(204) 785-8065

Legal Aid Services of  
Manitoba  
(204) 985-8550  
(Family Law Office)

## **New Brunswick**

Department of Justice,  
Province of New  
Brunswick, Domestic  
Legal Aid Program  
(506) 453-2452

Public Legal Education and  
Information Service of New  
Brunswick  
(506) 453-5369

New Brunswick Coalition  
of Transition Houses  
(506) 648-0481

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## **Newfoundland**

Newfoundland Legal Aid  
Commission  
(Newfoundland only)  
1-800-563-9911

Public Legal Information  
Association of  
Newfoundland  
(709) 722-2643

Provincial Association  
Against Family Violence  
(709) 739-6759

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## **Northwest Territories**

Arctic Public  
Legal Education and  
Information Society  
(403) 920-2360

N.W.T. Association of  
Family Violence Prevention  
Workers  
(819) 979-4500

Legal Services Board of  
the N.W.T.  
(403) 873-7450

## **Nova Scotia**

Nova Scotia  
Legal Aid Commission  
(902) 420-6565

Transition House  
Association of Nova Scotia  
(902) 429-7287

Public Legal Education  
Society of Nova Scotia  
(902) 423-7154

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## **Ontario**

Community Legal  
Education Ontario  
(416) 408-4420

Ontario Legal Aid Plan  
(416) 947-3333  
(Dial-a-Law)  
(416) 947-3330  
(Lawyer Referral Service)

Ontario Association of  
Interval and Transition  
Houses  
(416) 977-6619

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## **Prince Edward Island**

Community Legal  
Information Association of  
Prince Edward Island  
(902) 892-0853

Prince Edward Island  
Transition House  
Association  
(902) 894-3354

Department of  
Provincial Affairs and  
Attorney General of  
Prince Edward Island  
(902) 368-6043



## **Saskatchewan**

Provincial Association of  
Transition Houses in  
Saskatchewan  
(306) 652-6175

Saskatchewan Legal Aid  
Commission  
1-800-667-3764  
(Saskatchewan only)

Public Legal Education  
Association of Saskatchewan  
(306) 653-1868

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## **Quebec**

Fédération de ressources  
d'hébergement pour  
femmes violentées et en  
difficulté du Québec  
(514) 674-0324

Regroupement provincial  
des maisons d'hébergement  
et de transition pour  
femmes victimes  
de violence conjugale  
(514) 279-2007

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## **Yukon**

B.C./Yukon Society of  
Transition Houses  
(604) 669-6943

Yukon Public Legal  
Education Association  
(403) 667-4305


Yukon Legal Services  
Society  
(403) 667-5210

**National Clearinghouse on  
Family Violence**

Health Canada

Ottawa, Ontario

Toll free 1-800-267-1291

 Toll Free 1-800-561-5643





